

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GEORGE ILGENFRITZ,)
)
Plaintiff,)
)
v.) Case No: 2:06-CV-00055-ERW
)
TOMMY TIPLER, et al.)
)
Defendants.)

PROTECTIVE ORDER

The Court takes up Defendant Tipler's motion for protective order and rules as follows.

Plaintiff's court appointed counsel has requested the personnel file of Defendant Tommy Tipler, a former employee of the Missouri Department of Corrections ("DOC"). Defendant Tipler asserts that his personnel file is a closed record pursuant to §610.021(13), RSMo 2000. This Court concludes that it is appropriate to allow Plaintiff's counsel to obtain the documents requested, subject to the exceptions and restrictions set out below:

1. The documents from the personnel files of Defendant Tipler shall be kept confidential by the parties to this case and shall not be disclosed to anyone other than a party to the case, an attorney representing a party in the case, or such support staff and expert witnesses employed to assist the attorney representing a party in the case.

2. Plaintiff's counsel may have access to the documents, but may use them solely for this litigation. Plaintiff's counsel agrees that he will not share the specified documents with his client, or use the disclosed documents in any other litigation, cause or matter.

3. Social security numbers and bank account numbers shall be redacted from any personnel records disclosed pursuant to a protective order.

4. Plaintiff's counsel may use the documents disclosed under the protective order for the duration of this litigation. Within thirty days of the resolution of this litigation, Plaintiff's counsel agrees to either destroy all specified documents, and all copies of the specified documents made at the direction of plaintiff's counsel, in their entirety; or to return them to counsel for Defendant Tipler.

IT IS SO ORDERED.


E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE

Dated: September 25, 2008